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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,684	01/28/2004	Nabil L. Muhamna	126013-1003

**CONFIRMATION NO. 2069**

STEVEN E. ROSS, IP SECTION  
KENNETH T. EMANUELSON  
GARDERE WYNNE SEWELL LLP  
1601 ELM STREET, SUITE 3000  
DALLAS, TX 75201

**FORMALITIES LETTER**



\*OC000000012996872\*

Date Mailed: 06/21/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$258** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1158** for a Large Entity

• \$770 Statutory basic filing fee.	08/24/2004	MAHMED1	00000047	10766684
• \$130 Late oath or declaration Surcharge.	01 FC:2001			385.00 OP
	02 FC:2051			65.00 OP
	03 FC:2201			129.00 OP
• Total additional claim fee(s) for this application is <b>\$258</b>				

- \$258 for 3 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

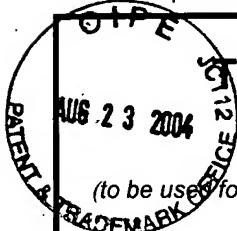
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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number	10/766,684
Filing Date	January 28, 2004
First Named Inventor	Nabil L. Muhanna
Group Art Unit	3738
Examiner Name	Not yet known
Total Number of Pages in This Submission	126013-1003

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <u>XX</u> Return Copy of Notice to File Missing Parts <u>XX</u> Executed Declaration (3 pages) <input checked="" type="checkbox"/> Return Receipt Postcard
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	Kenneth T. Emanuelson, Reg. No. 46,684	
Signature		
Date	August 20, 2004	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or Printed Name	Stella Laicer	
Signature		Date
		8-20-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and selection option 2

**FEE TRANSMITTAL**  
**For FY 2004**

Effective 10/01/03. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **\$ 579.00**

**Complete if Known**

Application Number	10/766,684
Filing Date	January 28, 2004
First Named Inventor	Nabil L. Muhanna
Examiner Name	Not yet known
Group Art Unit	3738
Attorney Docket Number	126013-1003

**METHOD OF PAYMENT (Check all that apply)**

Check  Credit Card  Money  Other  None Order

Deposit Account:

Deposit Account Number: 07-0153  
Deposit Account Name: Gardere Wynne Sewell LLP

The Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee	Fee	Fee Description	Fee Paid
Code	Fee	Code	Fee	Fee Description	Code	Fee	Fee Description	Fee Paid
1001	770	2001	385	Utility filing Fee	1051	130	2051	65
1002	340	2002	170	Design filing fee	1052	50	2052	25
1003	530	2003	265	Plant filing fee	1053	130	1053	130
1004	770	2004	385	Reissue filing fee	1812	2,520	1812	2,520
1005	160	2005	80	Provisional filing fee	18042	920*	1804	920*

**SUBTOTAL (1) \$**

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Fee from Extra Claims below	Fee Paid
Total Claims	- 20**	= x 9.00	= \$ 385.00
Independent	6 - 3**	= 3 x 43.00	= \$ 129.00
Claims			
Multiple Dependent		280.00	= \$

**SUBTOTAL (2) \$**

\*\* or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee	Fee	Fee Description	Fee Paid
Code	Fee	Code	Fee	Fee Description	Code	Fee	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	1251	110	2251	55
1201	86	2201	43	Independent Claims in excess of 3	1252	420	2252	210
1203	290	2203	145	Multiple dependent claim, if not paid	1253	950	2253	475
1204	86	2204	43	** Reissue independent claims over original patent	1254	1,480	2254	740
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	1255	2,010	2255	1,005
					1401	330	2401	165
					1402	330	2402	165
					1403	290	2403	145
					1451	1,510	1452	1,510
					1452	110	2452	55
					1453	1,330	2453	665
					1501	1,330	2501	665
					1502	480	2502	240
					1503	640	2503	320
					1460	130	1460	130
					1807	50	1806	50
					1806	180	1806	180
					8021	40	8021	40
					1809	770	2809	385
					1810	770	2810	385
					1801	770	2801	385
					1802	900	1802	900

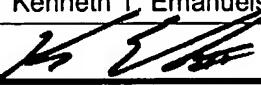
Other fee (specify) \$

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) \$**

Complete (if applicable)

**SUBMITTED BY**

Name (Print/Type)	Kenneth T. Emanuelson	Registration No. (Attorney/Agent)	46,684	Telephone	(214) 999-3000
Signature				Date	August 20, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22331-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Appl. Ser. No. 10/766,684

Confirmation No.: 2069

Applicant : Nabil L. Muhanna  
Filed : January 28, 2004  
TC/A.U. : 3738  
Examiner : Not yet known  
Docket No. : 126013-1003

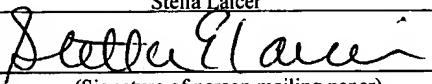
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Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

(37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Stella Laicer

  
(Signature of person mailing paper)

Date: 8-20-04

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of the above-identified nonprovisional patent application, Applicant submits herewith an executed Declaration and Power of Attorney and a check for \$579.00 in payment of the applicable fees.

Applicant respectfully requests approval thereof and examination of the application. Applicant authorizes the Commissioner to charge any other necessary fees or credit any overpayments to Deposit Account No. 07-0153.

Respectfully Submitted,

Date: August 20, 2004



Kenneth T. Emanuelson  
Registration No. 46,684  
Attorney for Applicant

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